

FILED

DEC - 5 2005

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

In re ) Case No. 05-33037-C-7  
GRACE V. POLAND, ) MC No. MET-1  
Debtor. )

**FINDINGS OF FACT AND CONCLUSIONS OF LAW ON  
MOTION TO REDEEM COLLATERAL**

These findings of fact and conclusions of law are rendered in this contested matter pursuant to Federal Rule of Civil Procedure 52 as incorporated by Federal Rules of Bankruptcy Procedure 7052 and 9014. Evidence was taken pursuant to Federal Rule of Civil Procedure 43(e), as incorporated by Federal Rule of Bankruptcy Procedure 9017 and as invoked by Local Bankruptcy Rule 914(e).

Jurisdiction

Jurisdiction is founded upon 28 U.S.C. § 1334. This is a core proceeding. 28 U.S.C. § 157(b)(2)(G).

Findings of Fact

A hearing was set for November 29, 2005, on debtor's motion to redeem collateral under 11 U.S.C. §722. The collateral, a 2002 Chevrolet Camaro, secures a debt owed to

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2 creditor Travis Credit Union. Upon review of the record, the  
3 court determined that the written record was adequate and that no  
4 evidentiary hearing was necessary because there was no timely  
5 opposition pursuant to Local Bankruptcy Rule 9014-1(f)(1) and  
6 there were no "disputed material factual issues."

7  
8 Conclusions of Law

9 Under 11 U.S.C. §722, a debtor may redeem consumer  
10 collateral by "cashing out" a creditor for the fair market value  
11 of the collateral. The fair market value of the collateral is  
12 determined to be \$7,810.

13 Accordingly, the motion to redeem the collateral will  
14 be granted. An appropriate order will issue.

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16 Dated: December 5, 2005

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20 UNITED STATES BANKRUPTCY JUDGE  
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CERTIFICATE OF SERVICE

On the date indicated below, I served a true and correct copy(ies) of the attached document by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed and by depositing said envelope in the United States mail or by placing said copy(ies) into an interoffice delivery receptacle located in the Clerk's Office.

Grace V. Poland  
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Prem N. Dhawan  
Chapter 7 Trustee  
P.O. Box 965  
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Travis Federal Credit Union  
P.O. Box 2069  
Vacaville, CA 95696-2069

Dated: 12-6-05



Deputy Clerk